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Federal Communications Commission
Office of the Secretary

"The attached email is a presentation directed to the merits in proceeding 12-268 and accordingly is being filed in that docket."

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EX PARTE OR LATE FILED

12-268

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From: PRESTON PADDEN [mailto:ppadden@me.com]

Sent: Thursday, December 04, 2014 11:40 PM

To: [REDACTED]

Cc: Renee Gregory; Gary Epstein; Howard Symons

Subject: Tonight

DEC 9 - 2014

Federal Communications Commission
Office of the Secretary

You did a great job tonight - funny and self-deprecating. I would keep the team that helped plan your remarks.

Below is a paragraph from an ex parte filing we made today, on the record of the auction proceeding. Our Coalition would prefer no scoring, but we could live with scoring on a station's effect on clearing spectrum. Copying Renee, Gary and Howard (love them all). We have been making progress generating broadcaster interest, but the pricing proposal and DRP in the Comment PN are a threat to that progress.

"With regard to POPs Scoring, the Coalition representatives explained that the FCC appears to be re-opening an issue that was resolved in the *Report and Order*. There, the Commission stated: "we do not intend to set prices to reflect the potential market or enterprise value of stations, as opposed to their impact on the repacking process." There is no evidence in the record that a station's interference-free POPs have *anything* to do with its "impact on the repacking process." The FCC has devised a "Feasibility Checker" as its key tool to clear broadcast spectrum for reallocation for wireless broadband. If covered population was relevant to clearing spectrum, it would be a part of the FCC's feasibility checker. The Commission's Feasibility Checker, however, does NOT consider the population currently served by broadcast stations. Instead, the feasibility checker focuses on the interference profile—the preclusive effect—of broadcast stations. "{

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